

HOUSE BILL 1878

By Carr

AN ACT to amend Tennessee Code Annotated, Section
49-2-301, relative to school personnel.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-301, is amended by deleting
(b)(1)(FF) and by substituting the following language:

(FF) All persons who are employed in a position for which no teaching license is
required shall be hired on an at-will basis;

SECTION 2. Tennessee Code Annotated, Section 49-2-301, is amended by deleting
(b)(1)(GG)(i) and by substituting the following language:

(GG)

(i) The director may dismiss any nontenured, licensed employee under
the director's jurisdiction for incompetence, inefficiency, insubordination, improper
conduct or neglect of duty, after giving the employee, in writing, due notice of the
charge or charges and providing a hearing; provided, that no nontenured,
licensed employee under the director's jurisdiction shall be dismissed without first
having been given, in writing:

(a) Notice of the charge or charges;

(b) An opportunity for a full and complete hearing before an
impartial hearing officer selected by the board;

(c) An opportunity to be represented by counsel;

(d) An opportunity to call and subpoena witnesses;

(e) An opportunity to examine all witnesses; and

(f) The right to require that all testimony be given under oath.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it and shall apply to employment contracts entered on or after that date.